



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: **NAKATANI, Tadashi, et al.**

Group Art Unit: **2832**

Serial No.: **10/710,589**

Examiner: **Bernard ROJAS**

Filed: **July 22, 2004**

P.T.O. Confirmation No.: 4588

For: **MICRO-SWITCHING DEVICE AND METHOD OF MANUFACTURING
MICRO-SWITCHING DEVICE**

RESPONSE TO THE RESTRICTION
AND ELECTION OF SPECIES REQUIREMENTS
DATED OCTOBER 18, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: November 14, 2005

Sir:

This paper is submitted in response to the Official Action dated October 18, 2005.

In the outstanding Action, restriction is required between Group (I), claims 1-14, drawn to a Mem switch; and Group (II), claims 15 and 16, drawn to the method of manufacturing a Mem switch.

Also, election was required among Species Embodiment 1: Figures 1-8c; Embodiment 2: Figure 9; Embodiment 3: Figure 10; Embodiment 4: Figures 11-12; Embodiment 5: Figures 13-16; and Embodiment 6: Figures 17-23c.

The applicants elect to prosecute the subject matter of Group (I), claims 1-14, and further elect the species embodying Species Embodiment 1, shown in Figures 1-8c. Claims 1, 2 and 4-14 read on elected group and species.

Accordingly, claims 1, 2 and 4-14 are elected in the prosecution of this application.

Response to the Restriction And Election of Species Requirements Dated October 18, 2005
Filed on November 14, 2005
U.S. Application Serial No. 10/710,589

The applicants consider claims 1, 4-10 and 12-14 to be generic to all of the disclosed species.

It is understood that the applicants' rights to the filing of Divisional applications directed to the non-elected claimed subject matters under 35 USC §120 and 35 USC §121 are retained.

The applicants respectfully request an early examination on the elected claims 1, 2 and 4-14 and favorable action on the merits. If the Examiner has any questions with this Response, please feel free to call the undersigned attorney at the indicated telephone number.

In the event that this paper is not timely filed, the applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

Respectfully submitted,

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